



**US Army Corps
of Engineers.**

Nashville District

Public Notice

Public Notice No. 05-61

Date: August 26, 2005

Application No. 200501679

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Floating Private Dock, Tennessee River Mile 464.6 Left Bank, Nickajack Lake, in Hamilton County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**.

APPLICANT: Henry G. Luken III
641 Battery Place
Chattanooga, TN 37403

LOCATION: Mile 464.6, Tennessee River, in Hamilton County, TN, Nickajack Lake,
Coordinates: Lat: 35-3-12.8520 Lon: 85-18-2.4480 (Chattanooga, TN USGS Quadrangle)

DESCRIPTION: The applicant proposes to construct a private floating dock facility to moor his yacht. The dock would be 135' long by 10'4" wide with a 4' wide by 65' long walkway. The dock would be located off the main navigational channel of the Tennessee River behind Maclellan Island on Nickajack Lake. No dredging would be required for this proposal.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water

supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service - Atlanta.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before September 26, 2005, will become a part of the record and will be considered in the determination. Any response to this notice should be

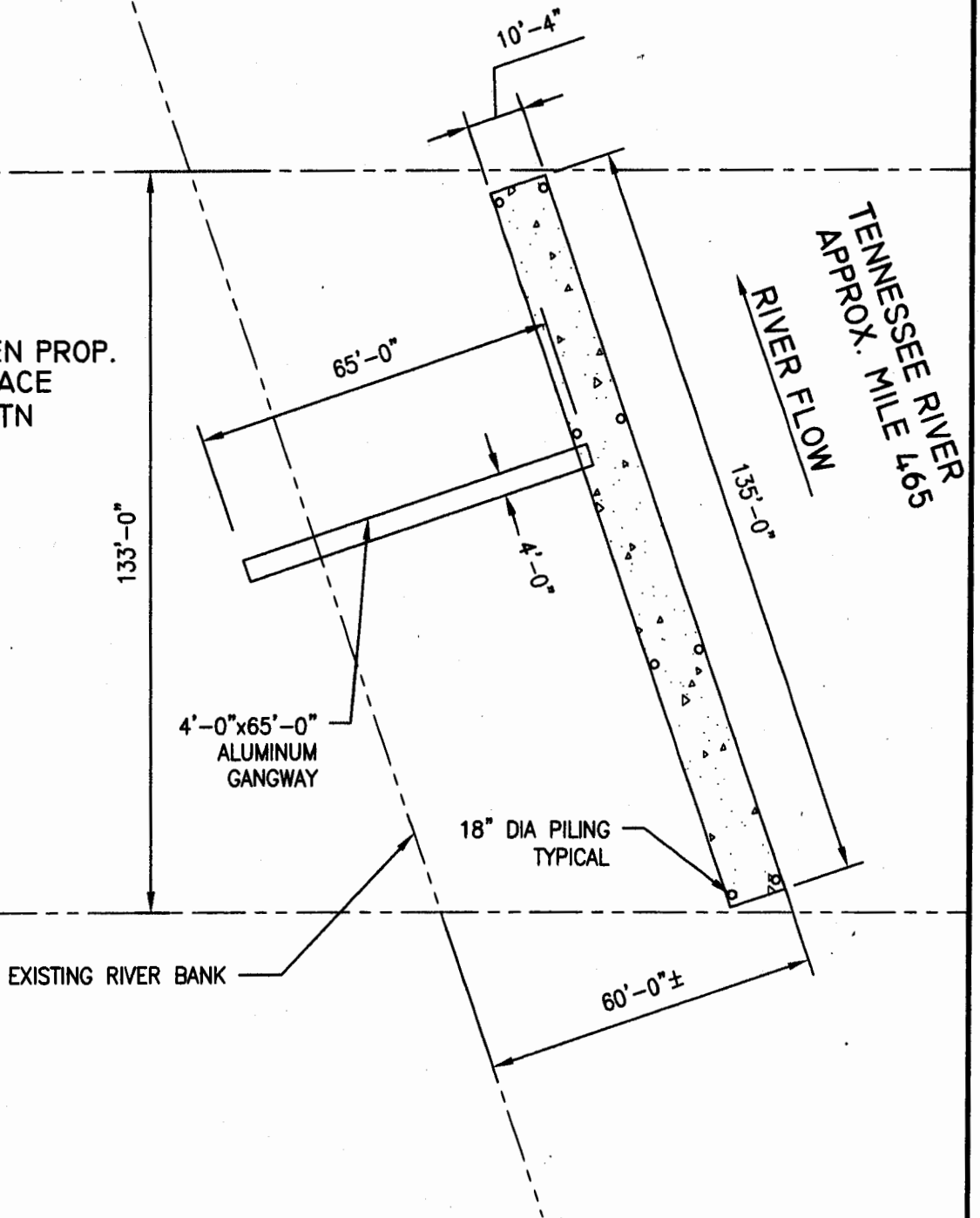
directed to the Regulatory Branch, Attention: Carl Olsen, at the above address, telephone (615) 369-7513. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to:

Mr. Dan Fisher

CHICKAMAUGA/NICKAJACK WATERSHED TEAM

1101 Market Street (PSC 1E), Chattanooga, Tennessee 37402-2801

MR. HENRY LUKEN PROP.
641 BATTERY PLACE
CHATTANOOGA, TN



REV. MARK	DATE	REVISION
1	7-28-06	REVISED DOCK LAYOUT & DIMENSIONS
2	8-11-06	REVISED DOCK LENGTH

PROPOSED DOCK

MR. HENRY LUKEN
CHATTANOOGA, TN

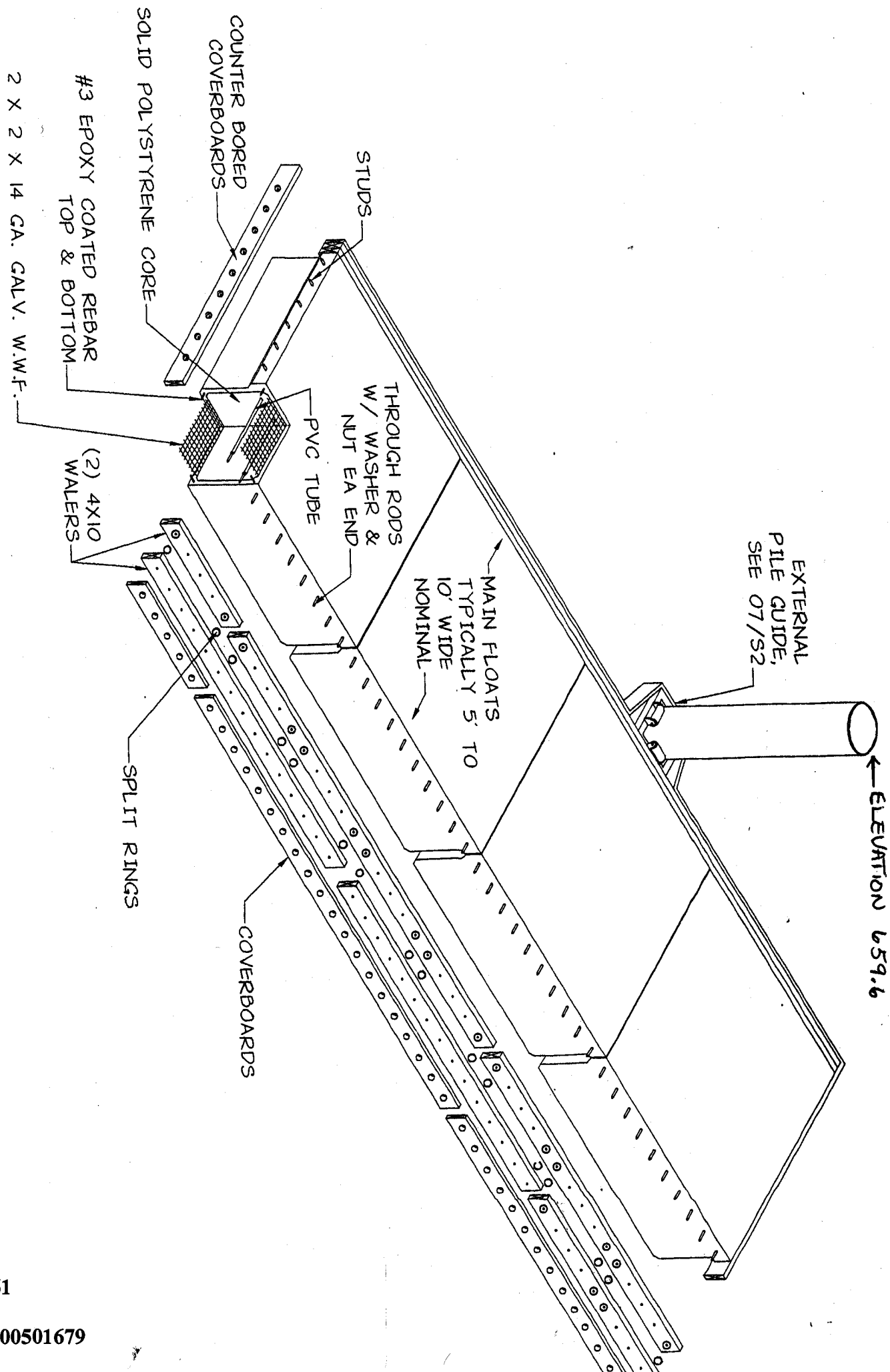
DATE
7-28-06
DRAWN BY
STB
SCALE
1"=30'-0"

Continental
CONSTRUCTION COMPANY, INC.
MEMPHIS, TENNESSEE

SHEET NO.
SK-01
JOB NO.
4849

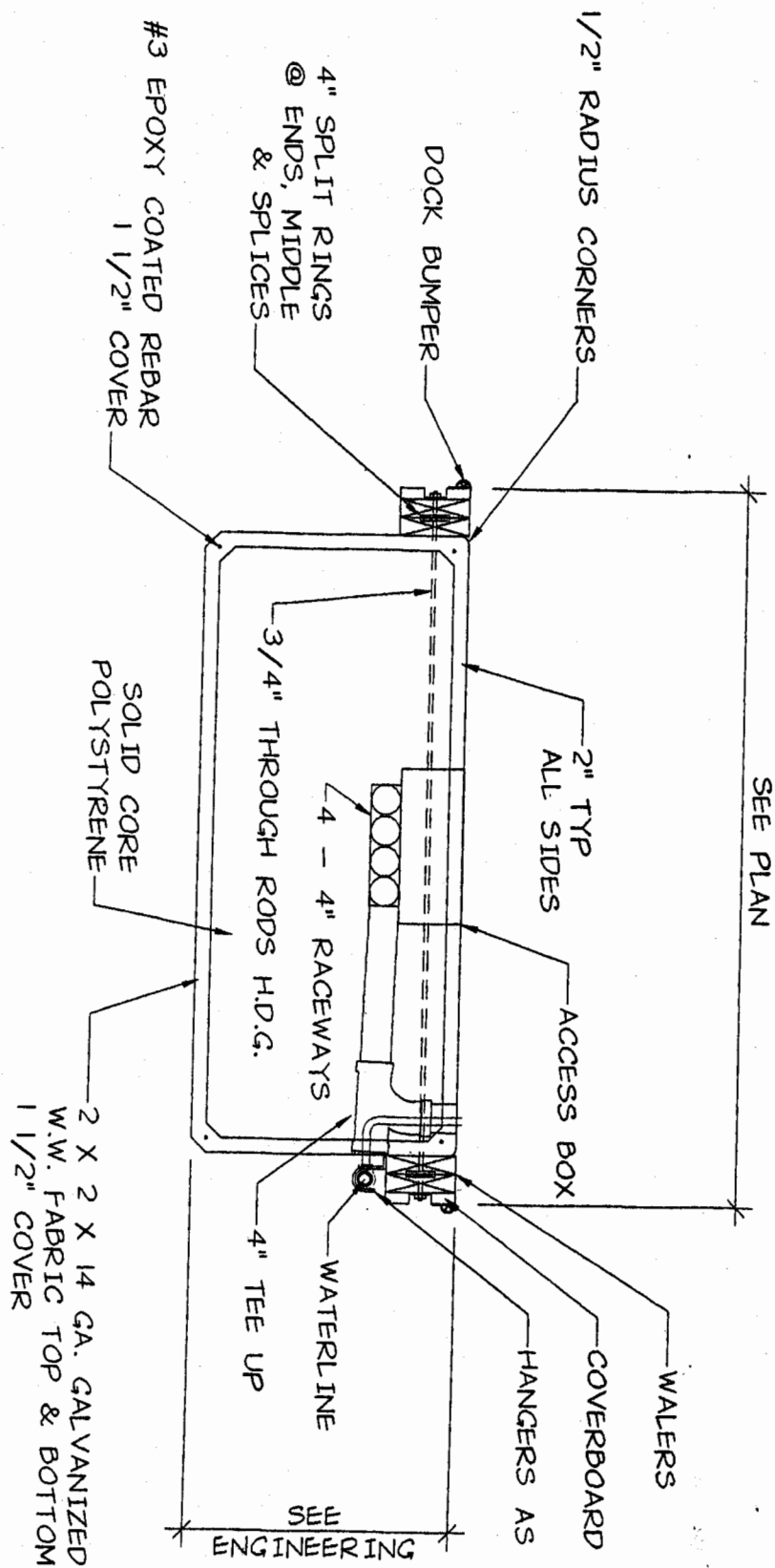
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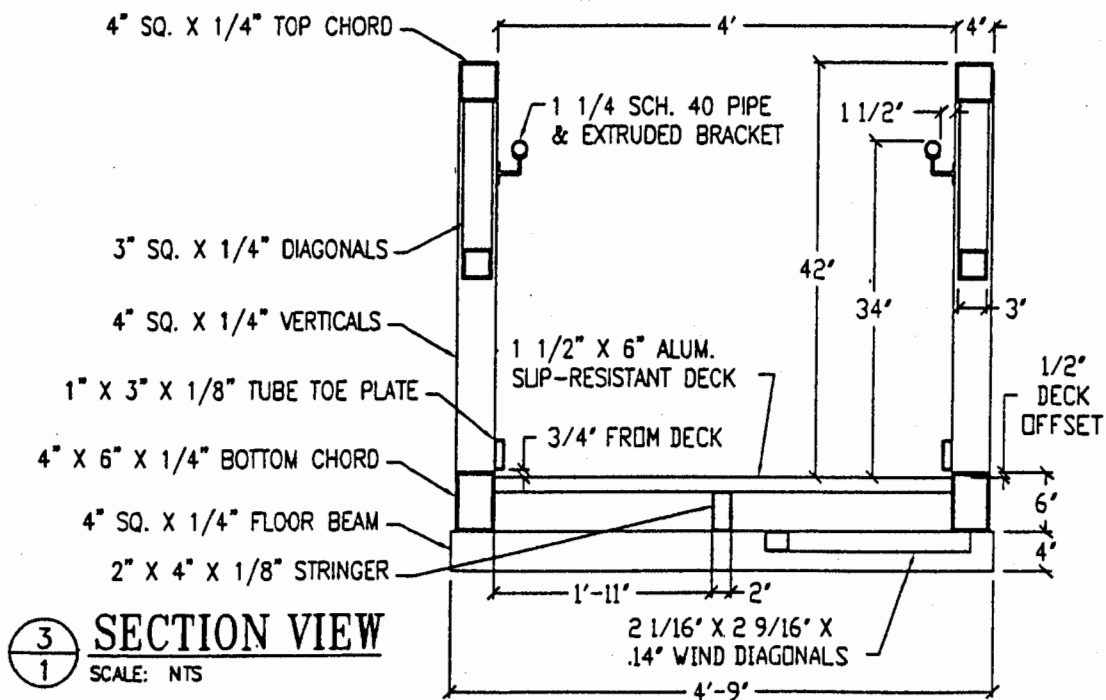
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